

REMARKS

Claims 1-10 and 18-37 are pending herein with Claims 1, 18, and 37 being independent claims. Claim 37 is allowed; Claims 6-9, 21, 26, 30, 31, and 33-36 are objected to; and Claims 1-5, 7, 10, 18-20, 22-25, 27-29 and 32 are rejected. Claim 1 is amended herein.

35 U.S.C. §103:

Claims 1-5, 7, 10, 18-20, 22-25 and 27-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,134,924 to Vicker in view of U.S. Patent No. 5,472,719 to Favre. In response to the previous Office Action, the Applicant pointed out that Vicker does not anticipate the claim in that Vicker does not disclose the use of a sealing layer. Rather, Vicker merely describes the use of a porous lid 20'. In response, the Examiner now states that "the sealing layer 20' meets the limitation of Claim 1 since Applicant has not specified exactly what layer seals the cartridge contents from."

The Applicant thus amends Claim 1 to indicate that the sealing layer is "airtight". The Applicant submits that this limitation adequately distinguishes the claim from the cited references. Support for the limitation is found in the specification at page 17, lines 29-30. ("The seal 830 may be made out of a foil or a similar type of substantially airtight materials.") The Applicant thus requests allowance of independent Claim 1 and the dependent claims thereon.

The Applicant further traverses the rejection of dependant Claim 10 for the reasons described above and because Claim 10 recites the use of a foil. The cited references appear to be silent on such.

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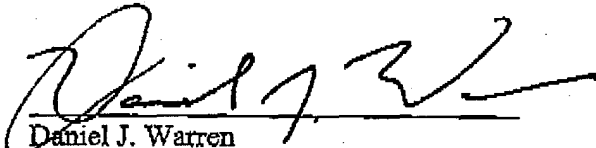
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CONCLUSION

The Applicant believes it has responded to each matter raised in the Office Action.

Any questions may be directed to the undersigned at 404.853.8028.

Respectfully submitted,


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